

CHAPTER 1061

STATE OFFICIALS AND EMPLOYEES — FOREIGN AGENT REGISTRATION

S.F. 2323

AN ACT relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. [Section 2.32, subsection 9](#), Code 2018, is amended to read as follows:

9. A person whose appointment is subject to senate confirmation shall make available to the senate committee to which the appointment is referred, upon the committee's request, a notarized statement that the person has filed federal and state income tax returns for the three years immediately preceding the appointment, or a notarized statement of the legal reason for failure to file. In addition, a person whose appointment is subject to senate confirmation shall make available to the senate committee to which the appointment is referred a notarized statement on whether the person has filed a registration statement pursuant to the federal Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. §611 et seq. If the appointment is to a board, commission, council, or other body empowered to take disciplinary action, all complaints and statements of charges, settlement agreements, findings of fact, and orders pertaining to any disciplinary action taken by that board, commission, council, or body in a contested case against the person whose appointment is being reviewed by the senate shall be made available to the senate committee to which the appointment is referred upon its request.

Sec. 2. **NEW SECTION. 7E.8 Members of boards, committees, commissions, and councils — disclosure requirements.**

A member of any board, committee, commission, or council who was subject to senate confirmation pursuant to [section 2.32](#) shall disclose to the appointing authority for that board, committee, commission, or council if the member has filed subsequent to senate confirmation a registration statement pursuant to the federal Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. §611 et seq.

Sec. 3. **NEW SECTION. 8A.403 Hiring procedures — nonmerit system positions.**

The department shall establish, by rule, procedures providing for the hiring of employees by a state agency to positions that are not covered by the merit system. The procedures shall require that an applicant for employment to a position that is not covered by the merit system disclose, in writing, whether the applicant has filed a registration statement pursuant to the federal Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. §611 et seq.

Sec. 4. **NEW SECTION. 8A.404 State employees — disclosure requirements.**

An employee of a state agency shall disclose to the hiring authority for that employee if the employee has filed subsequent to hire a registration statement pursuant to the federal Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. §611 et seq.

Sec. 5. **NEW SECTION. 8A.405 Foreign agent registration disclosures — penalty.**

A person who willfully violates [section 8A.403](#), [section 8A.404](#), or [section 8A.413, subsection 5A](#), or rules adopted pursuant to these provisions, is guilty of a serious misdemeanor.

Sec. 6. [Section 8A.413](#), Code 2018, is amended by adding the following new subsection:

NEW SUBSECTION. 5A. For an applicant for employment in the executive branch to disclose in the application for employment whether the applicant has filed a registration statement pursuant to the federal Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. §611 et seq.

Sec. 7. **NEW SECTION. 68B.2C Prohibited outside employment and activities — agents of foreign principals.**

Officials and state employees shall not engage in any outside employment or activity that requires the person to register under the federal Foreign Agents Registration Act, 22 U.S.C. §611 et seq., as amended.

Approved April 2, 2018